

### **Remarks**

The Official Action rejected claims 1-16 and claims 31-40. Applicant has amended claims 2-6, 9, 12-16, 32-33, and 35-40, canceled claims 1, 7-8 and 34, and added new claims 41-43. Claims 2-6, 9-16, 31-33, and 35-43 remain pending.

### **Allowable Subject Matter**

Applicant gratefully acknowledges the indication that claims 9-12, 16, 33, 36 and 39 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2<sup>nd</sup> paragraph and to include all of the limitations of the base claim and any intervening claims. As discussed below, Applicant believes the present amendment overcomes the rejection(s) under 35 U.S.C. 112, 2<sup>nd</sup> paragraph. Applicant has further rewritten claims 9, 36 and 39 in independent form to include all the limitations of the base claim and any intervening claims. Claims 10-12, 16 and 33 have not been rewritten since each depends from allowable claim 9.

### **Specification Objections**

The Official Action objected to the abstract for being too long. Applicant has shortened the abstract.

### **Claim Objections**

The Official Action objected to claim 1. Applicant has canceled claim 1.

### **Claim Rejections under 35 U.S.C. 112, second paragraph**

The Official Action rejected claims 1-16 and 31-40 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly

claim the subject matter, which Applicant regards as the invention. Applicant has amended claims 2-6, 9, 12-16, 32-33, and 35-40. Applicant respectfully requests the rejection of claims 1-16 and 31-40 be withdrawn.

Claims 2-4 and 40 (Trademark/Trade name)

The Official Action rejected claims 2-4 and 40 for being indefinite as a result of their inclusion of the trademark/trade name "PICMG 3.0 AdvancedTCM." In particular, the Official Action indicated that the claim scope is uncertain since the trademark or trade name cannot be used properly to identify any particular material or product. The Official Action further indicates that the trademark/trade name is used to identify/describe backplane connectors and, accordingly, the identification/description is indefinite.

Applicant respectfully directs the Examiners attention to MPEP 2173.05(u) in which the following is stated:

The presence of a trademark or trade name in a claim ***is not, per se, improper*** under 35 U.S.C. 112, second paragraph, but the claim should be carefully analyzed to determine how the mark or name is used in the claim. It is important to recognize that a trademark or trade name is used to identify a source of goods, and not the goods themselves. (emphasis added).

The Applicant further directs the Examiner to MPEP 2173 in which the following is stated:

The primary purpose of this requirement of definiteness of claim language is to ensure that the scope of the claims is clear so the public is informed of the boundaries of what constitutes infringement of the patent. A secondary purpose is to provide a clear measure of what applicants regard as the invention so that it can be determined whether the claimed invention meets the criteria of 35 U.S.C. 112, first paragraph with respect to the claimed invention.

In claims 2-4 and 40, the term PICMG 3.0 AdvancedTCM is used to identify a particular specification for connectors that is recognized in the industry. This is the title or name of the specification. It just happens that the identified trademark/trade names are used in the title of the specification. Since those in the industry can readily determine whether the connectors of claims 2-4 and 40 have the identified characteristics of the PICMG 3.0 AdvancedTCM specification, the use of such in claims 2-4 and 40 meet the above identified primary and secondary purposes of 35 U.S.C. 112, first paragraph and are thus definite.

#### Normal Slots

The Official Action indicated that the Examiner was not familiar with the term "normal" slots and that the Examiner would interpret "normal" to mean any slot that is not extended. Applicant is uncertain whether the Official Action rejected any of the claims due to the use of the term "normal." At any rate, Applicant points out that the use of normal slots and extended slots in the claims is definite since the claims specifically define how normal slots differ from extended slots. Such difference in the claims is also in accord with the usage of the terms normal slot and extended slot in the specification. Accordingly, one skilled in the art can ascertain whether a given slot is "normal" or "extended". Applicant respectfully requests any rejection based on the term "normal" be withdrawn.

#### Claims 3 and 4 ("Zone")

Applicant has amended claim 3 to indicate the first set of connectors includes connectors that comply with zone 2 connectors of the PICMG 3.0 AdvancedTCA specification. Applicant has further amended claim 4 to indicate the second set of connectors includes connectors that comply with zone 3 connectors of the PICMG

3.0 AdvancedTCA specification. One skilled in the art realizes the PICMG 3.0 Advanced TCA specification defines zone 1, zone 2 and zone 3 connectors. Accordingly, one skilled in the art can ascertain whether particular connectors comply with zone 2 connectors or zone 3 connectors of the specification. Thus, the usage of such terms is definite. Applicant respectfully requests the rejection of claims 3 and 4 be withdrawn.

Claim 12

The Official Action rejected claim 12 for indefiniteness due to the phrase “based on configurations of the line cards and the switch card.” Applicant has removed such phrase from claim 12. Applicant respectfully requests the rejection of claim 12 be withdrawn.

Claim 32

The Official Action rejected claim 32 for indefiniteness due to the phrase “differential pairs” not explicitly indicating “differential pairs of connectors”. Applicant has amended claim 32 to make this more explicit.

Claims 36 and 38-39

The Official Action noted various antecedent basis issues with claims 36 and 38-39. Applicant has amended claims 36 and 38-39.

**Claim Rejections under 35 U.S.C. 102**

The Official Action rejected claims 1, 15, 31-32, 34, and 38 under 35 USC 102(e) as being anticipated by Linares et al (U.S. Publication: 2003/0169577). Applicant has canceled claim 1 and 34 and amended claims 15, 32 and 38. Each of claims 15, 31-32 and 38 includes one of allowable claims 9 and 36 as a base claim.

Accordingly, each of claims 15, 31-32 and 38 is allowable. Applicant respectfully requests the rejection of claims 15, 31-32 and 38 be withdrawn.

**Claim Rejections under 35 U.S.C. 103 (Linares)**

The Official Action further rejected claims 2-4, 6-8, 13-14, 37 and 40 under 35 USC 103(a) as being unpatentable over Linares. Applicant has canceled claims 7-8 and has amended claims 2-4, 6, 13-14, 37 and 40. Each of claims 2-4, 6, 13-14, 37 and 40 includes one of allowable claims 9 and 36 as a base claim. Accordingly, Applicant requests the rejection of claims 2-4, 6, 13-14, 37 and 40 be withdrawn.

**Claim Rejections under 35 U.S.C. 103 (Linares/)**


The Official Action further rejected claim 5 under 35 USC 103(a) as being unpatentable over Linares in view of Nakamatsu et al. (US Patent 6,473,822). Claim 5 includes allowable claim 9 as a base claim. Accordingly, Applicant requests the rejection of claim 5 be withdrawn.

**Conclusion**

The foregoing is submitted as a full and complete response to the Official Action. Applicant submits that the application is in condition for allowance. Reconsideration is requested, and allowance of the pending claims is earnestly solicited.

Should it be determined that an additional fee is due under 37 CFR §§1.16 or 1.17, or any excess fee has been received, please charge that fee or credit the amount of overcharge to deposit account #02-2666. If the Examiner believes that there are any informalities, which can be corrected by an Examiner's amendment, a telephone call to the undersigned at (503) 439-8778 is respectfully solicited.

Respectfully submitted,



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